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09/821,358	03/29/2001	Kevin Hunter	150-094RP	3786

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EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/821,358	Applicant(s) HUNTER ET AL.	
	Examiner Dohm Chankong	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1> This action is in response to Applicant's amendment and remarks. Claims 1-8 are presented for further examination. This action is a final rejection.

Response to Arguments

2> Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment that altered the scope of the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3> Claims 1-3 and 5-7 are rejected under 35 U.S.C § 102(b) as being anticipated by Veeneman et al, U.S Patent No. 5,774,874 ["Veeneman"].

4> Veeneman is directed towards a gift registration process. A subscriber uses a portable (wireless) device to enter linkage codes (UPC) of desired products. The entered information along with subscriber information is sent to a list server (computer) where it is available to other client devices. A person desiring to purchase gifts for the subscriber enters the

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subscriber identifier whereby a list of the desired gifts (along with the linkage code) is sent to the buyer.

5> As to claim 1, Veeneman discloses a method of using a wireless device to enable a client device to access a primary content file, said method comprising the steps of:

entering a linkage code into a wireless device, wherein the linkage code comprises a routing identification code and an item identification code [column 3 «lines 6-29 and 46-56» : where it is well known in the art that UPC codes contain both a manufacturer code, which is comparable to a routing identification code, and a product ID code, which is comparable to item ID code];

transmitting a data stream to a list server for storage therein, wherein said data stream comprises the linkage code and a subscriber identification number associated with the wireless device [Figure 2 | Figure 6 «items 72', 102, 88', 104, 90'» | Figure 9 «"registrant No."» | column 7 «lines 17-21 and 35-37» | column 9 «lines 24-41» : the information is transmitted to databases and the registrant's ID number is comparable to a subscriber ID number. When the registrant is using the portable device, the device is only associated with registrant's ID number.];

storing in memory at the list server the linkage code in association with the subscriber identification number [Figure 6 | column 7 «lines 1-6»];

logging in to the list server from a client device, wherein the client device transmit to the list server the subscriber identification number associated with the wireless device [Figure 9 | column 7 «lines 1-6» | column 9 «line 54» to column 10 «line 38» : where the gift

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buyer have various means to identify the registrant including supplying the registrant's ID number (suggested by Veeneman's Figure 9));

retrieving from memory at the list server the linkage code associated with the subscriber identification number [column 7 «lines 1-6» | column 9 «line 54» to column 10 «line 38»]; and

transmitting the linkage code from the list server to the client device [column 9 «line 54» to column 10 «line 38»].

6> As to claim 2, Veeneman discloses the method of claim 1, wherein a user provides the client device with the subscriber identification number [column 9 «lines 54-58»].

7> As to claim 3, Veeneman discloses the method of claim 1, wherein the client device is one of a group of devices comprising a personal computer, a web-based television, and a video console [column 4 «lines 40-41» | column 6 «lines 49-67»].

8> As to claim 5, Veeneman discloses a networked computer system comprising:
a wireless device capable of selective interconnection to a computer network [Figure 3 | column 6 «lines 49-65»];

a list server capable of selective interconnection to the computer network, the list server comprising a storage means for storing data [column 6 «line 53» to column 7 «line 6»];

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a client device capable of selective interconnection to the computer network [column 9 «lines 54-58»: “gift registry apparatus” which Veeneman discloses earlier as a kiosk or computer], wherein:

the wireless device comprises:

input means for inputting a linkage code, the linkage code comprising a routing identification code and an item identification code [column 4 «line 66» to column 5 «line 13»];

transmitting means for transmitting a data stream to the list server for storage therein, wherein said data stream comprises the linkage code and a subscriber identification number associated with the wireless device [column 6 «lines 1-7» to column 7 «lines 1-7»];

the list server comprises:

means for storing the linkage code in the storage means in association with the subscriber identification number [column 6 «line 58» to column 7 «line 7»]; and

the client device comprises:

means for logging into the list server and for transmitting to the list server the subscriber identification number associated with the wireless device [column 9 «lines 54-58» | column 10 «lines 39-67»]; and

further wherein the list server comprises:

means for retrieving from the storage means the linkage code associated with the subscriber identification number transmitted by the client device [Figure 9 | column 10 «lines 39-67» where : when the gift buyer enters the

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registrant's identification, the list server brings up the linkage codes of the selected products and displays/prints them out for the gift buyer to see]; and means for transmitting the linkage code retrieved from the storage means to the client device [Figure 9 | column 10 «lines 1-10 and 61-67»].

9> As to claims 6 and 7, as they are merely systems that execute the steps of the method of claims 2 and 3 respectively, they do not teach or further define over the claimed limitations. Therefore claims 6 and 7 are similarly rejected for the same reasons set forth for claims 2 and 3, supra.

10> Claims 1-3 and 5-7 are rejected under 35 U.S.C § 102(e) as being anticipated by Lin, U.S Patent No. 6,178,443.

11> Lin is directed towards a user information propagation whereby a user can enter into a laptop computer (wireless) URL information that is uploaded to a central server, the URL information being associated with a userid. Thereby a different computer enters the userid and the URL information is propagated to the different computer.

12> As to claim 1, Lin discloses a method of using a wireless device to enable a client device to access a primary content file, said method comprising the steps of:

entering a linkage code into a wireless device, wherein the linkage code comprises a

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routing identification code and an item identification code [column 2 «lines 11-18 and 34-45» | column 5 «lines 25-32» where : Lin's use of a URL (bookmark) is analogous to a linkage code and his laptop can utilize a wireless connection];

transmitting a data stream to a list server for storage therein, wherein said data stream comprises the linkage code and a subscriber identification number associated with the wireless device [column 5 «lines 25-32»];

storing in memory at the list server the linkage code in association with the subscriber identification number [column 3 «lines 40-54»];

logging in to the list server from a client device, wherein the client device transmit to the list server the subscriber identification number associated with the wireless device [column 3 «lines 35-37 and 55-62»];

retrieving from memory at the list server the linkage code associated with the subscriber identification number [column 3 «lines 20-28» | column 5 «lines 25-32»]; and

transmitting the linkage code from the list server to the client device [column 4 «lines 15-19»].

13> As to claim 2, Lin discloses the method of claim 1, wherein a user provides the client device with the subscriber identification number [column 3 «lines 30-37» | column 4 «lines 15-19»].

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14> As to claim 3, Lin discloses the method of claim 1, wherein the client device is one of a group of devices comprising a personal computer, a web-based television, and a video console [Figure 1].

15> As to claim 5, Lin discloses a networked computer system comprising:

a wireless device capable of selective interconnection to a computer network [column 2 «lines 34-45»];

a list server capable of selective interconnection to the computer network, the list server comprising a storage means for storing data [column 3 «lines 30-62»];

a client device capable of selective interconnection to the computer network [column 3 «lines 35-39» | column 4 «lines 8-19»], wherein:

the wireless device comprises:

input means for inputting a linkage code, the linkage code comprising a routing identification code and an item identification code [column 2 «lines 11-22 and 34-45»];

transmitting means for transmitting a data stream to the list server for storage therein, wherein said data stream comprises the linkage code and a subscriber identification number associated with the wireless device [column 3 «lines 40-53»];

the list server comprises:

means for storing the linkage code in the storage means in association with the subscriber identification number [column 3 «lines 40-53»]; and

the client device comprises:

means for logging into the list server and for transmitting to the list server the subscriber identification number associated with the wireless device [column 3 «lines 30-39» | column 4 «lines 1-19»]; and

further wherein the list server comprises:

means for retrieving from the storage means the linkage code associated with the subscriber identification number transmitted by the client device [column 3 «lines 54-62» | column 4 «lines 1-19»]; and

means for transmitting the linkage code retrieved from the storage means to the client device [column 4 «lines 1-19»].

16> As to claims 6 and 7, as they are merely systems that execute the steps of the method of claims 2 and 3 respectively, they do not teach or further define over the claimed limitations. Therefore claims 6 and 7 are similarly rejected for the same reasons set forth for claims 2 and 3, *supra*.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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17> Claims 4 and 8 are rejected under 35 U.S.C § 103(a) as being unpatentable over

Veeneman, in view of Perkowski, U.S Patent No. 6,625,581.

18> As to claim 4, Veeneman does not explicitly disclose the method of claim 1, further

comprising the step of the client device utilizing the linkage code to retrieve a primary

content file associated with the item identification code from a content server associated with

the routing identification code.

19> Perkowski is directed towards a system similar to that of Veeneman. However,

Perkowski provides an improvement of enabling users to not only scan barcodes of products,

but to utilize those barcodes to access web content related to those products. Perkowski

teaches a method further comprising the step of utilizing a linkage code to enable the client

device to retrieve a primary content file associated with the item identification code from a

content server associated with the routing identification code [column 4 «lines 47-55»]. One

would have been motivated to implement web functionality into Veeneman's UPC product

codes as taught and utilized as Perkowski's web enabled UPC codes. One would have been

motivated to implement such functionality into Veeneman to better deliver relevant product

information to all consumers [see Perkowski, column 4 «lines 28-34»].

20> As to claim 8, Veeneman does not explicitly disclose a system further comprising a

content server or utilizing the linkage code to retrieve a primary content file associated with

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the item identification code from a content server associated with the routing identification code.

21> Perkowski discloses a content server associated with the routing identification code and capable of selective interconnection to the computer network [column 13 «lines 14-45»]. As disclosed above, Perkowski also teaches a method further comprising the step of utilizing a linkage code to enable the client device to retrieve a primary content file associated with the item identification code from a content server associated with the routing identification code [column 4 «lines 47-55»]. It would have been obvious to one of ordinary skill in the art to implement web functionality into Veeneman's UPC product codes as taught and utilized as Perkowski's web enabled UPC codes. Additionally, it would have been obvious to include a content server to conveniently store the related UPC product code information as is well known in the art. One would have been motivated to implement such functionality into Veeneman to better deliver relevant product information to all consumers [see Perkowski, column 4 «lines 28-34»].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S Patent No. 5,970,474 to Leroy et al.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

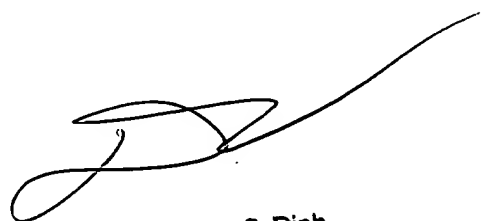
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Dung C. Dinh
Primary Examiner